

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: Justin T. Nguyen et al.
Application No.: 10/785,382
Filing Date: February 23, 2004
Title: Event Planning System
Examiner: Raquel Alvarez
Group Art Unit: 3688
Atty. Dkt. No.: 22950-08898

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the **Pacific Time Zone** of the United States on the local date shown below.

Dated: June 10, 2008

By: /Jie Zhang/

Jie Zhang, Reg. No.: 60,242

MAIL STOP APPEAL BRIEF - PATENTS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

REPLY BRIEF

This Reply Brief is filed in accordance with 37 CFR § 41.41 in response to the Examiner's Answer, which was mailed on April 10, 2008.

Argument

A. **Claims 3, 17, 20, 21, 23, and 67 are patentable over Rasansky in view of Leukemia Society.**

In the Examiner's Answer, the Examiner repeated the grounds of rejection for dependent claims 3, 17, 20, 21, 23, and 67 presently under appeal, and provided additional support for the rejection. Appellants submit that the rejection remains improper in view of the Examiner's Answer.

In the Examiner's Answer, rather than addressing the distinctive claimed features recited in the dependent claims, the Examiner merely made a general statement about services provided by the Rasansky system. For example, claim 3 recites generating an invitation web page based on event information input by user, and sending an invitation message to an invitee prompting the invitee to view the invitation web page, where the web page enables the invitee to respond to the invitation. Rather than addressing the invitation web page enabling the invitee to respond to the invitation, the Examiner improperly summarized the claimed features as simply an invitee viewing a calendar. Appellants respectfully submit that the calendar in Rasansky is an activity schedule (see Rasansky, col. 4, lines 47-49), which is not an invitation web page and cannot enable an invitee to respond to the invitation.

Claim 17 recites prompting a user to indicate whether the invitee may forward the invitation to other people. The Examiner improperly summarized the claimed features as an invitee forwarding an invitation. Appellants respectfully submit that claim 17 is about requesting the creator of an invitation to indicate whether to allow an invitee to forward the invitation, which is distinctive to the invitee's ability to forward invitations.

Claims 20 and 23 recite providing an event summary (or report) web page for the user to select previously planned events, and generating and transmitting event summary (or report)

information for the selected event. The Examiner improperly summarized the claimed features as the event planner to create/generate a report. Appellants respectfully submit that the claimed features include (1) providing an event summary (or report) web page enabling the user to select a previously planned event, (2) receiving a user selection of the previously planned event, (3) generating event summary (or report) information associated with the selected event including RSVP status associated with each invitee, and (4) transmitting the generated information to the user. Creating or generating a report is an oversimplification that ignores all these detailed claim limitations.

Claim 21 recites an invitation Web page that provides an invitation response graphical user interface enabling an invitee to select “maybe” as an RSVP status response. The Examiner improperly summarized the claimed features as an invitee responding to an invitation, and totally ignored the distinctive feature of enabling an invitee to *select “maybe” as an RSVP status response*.

Claim 67 recites generating an invitation web page based on the event information, the invitation web page being publicly-accessible via the network to a plurality of viewers comprising the invitee, and being operative to provide an invitation response graphical user interface for enabling the invitee to respond to the invitation; and receiving input provided by the invitee via the invitation web page, the input provided by the invitee indicating the RSVP status information. The Examiner improperly summarized the claimed features as a user viewing a calendar and responding to an invitation. As argued above with respect to claim 3, the calendar in Rasansky is an activity schedule, which is different from an invitation web page that is operative to provide an invitation response graphical user interface for enabling the invitee to respond to the invitation.

The additional support the Examiner provided in the Examiner's Answer, Figures 2A-5 and 14, fails to disclose the claimed features in the dependent claims. Figures 2A-5 and 14 of Rasansky disclose that users can access the Rasansky system to view personal calendars and events, and invite non-users. Figure 2A is a general flow diagram showing that users can sign in Appointnet through a web browser or a hyperlink in an email to access calendar and make requests. Figure 2B shows that several users can see the same event. Figure 3 shows a process of the Appointnet system to identify and show a personal calendar responding to a user sign in. Figure 4 shows a process for the Appointnet system to show a calendar to a user. Figure 5 shows a process for the Appointnet system to generate detail data for a particular kind of appointment. Figure 14 shows a method for the Appointnet system to attract new users. These are different from the claimed features recited in claims 3, 17, 20, 21, 23, and 67.

As argued in the Appeal Brief, Leukemia Society, either alone or in combination with Rasansky, also fails to disclose the distinctive claimed features recited in claims 3, 17, 20, 21, 23, and 67.

Accordingly, Appellants respectfully submit that a person of ordinary skill in the art would not have found the additional elements of dependent claims 3, 17, 20, 21, 23, and 67 obvious in view of the cited references at the time the invention was made. The rejection of dependent claims 3, 17, 20, 21, 23, and 67 is improper for at least the same reason.

B. Claims 12 and 13 are patentable over Rasansky in view of Leukemia Society.

In the Examiner's Answer, the Examiner repeated the grounds of rejection for claims 12 and 13 presently under appeal, and provided additional support for the rejection. Appellants submit that the rejection remains improper in view of the Examiner's Answer. Claim 12 recites prompting the user to specify a question for the invitee, and that the invitation web page enables

the invitee to provide a response to the question. Claim 13 recites “said invitation Web page is further operative to enable other invitees to view said response if the user has selected an option of enabling said other invitees to view said response.”

The Examiner cited Figure 11 and the Abstract of Rasansky for support of the rejection of claims 12 and 13. Figure 11 and corresponding disclosure in Rasansky teaches that a user can send a calendar to others. See Rasansky, col. 3, lines 42-44 (“FIG. 11 is a flow diagram of a routine in the Appointnet system which sends EMail, and thereby pushes a calendar through the Internet to users.”). The Abstract of Rasansky teaches that users can post messages to people they know, and such messages are communicated nearly instantaneously because the system makes one record and allows both (or many) parties to view it. The cited figure and sections of Rasansky at most suggest that a user can use the Rasansky system to send a calendar to several invitees, and the invitees can view the calendar quickly. This is different from prompting the user to specify a question for an invitee and providing an invitation web page that enables the invitee to provide a response to the question, as recited in claim 12, or providing an invitation web page that enables other invitees to view the response if the user has so enabled them, as recited in claim 13.

As argued in the Appeal Brief, Leukemia Society, either alone or in combination with Rasansky, also fails to disclose the distinctive claimed features recited in claims 12 and 13.

Accordingly, Appellants respectfully submit that a person of ordinary skill in the art would not have found the additional elements of dependent claims 12 and 13 obvious in view of the cited references at the time the invention was made. The rejection of dependent claims 12 and 13 is improper for at least the same reason.

Summary

For the foregoing reasons and the reasons set forth in the Appeal Brief, Appellants believe that the Examiner's rejections of claims 1-25 and 52-68 were erroneous, and respectfully request that the Board reverse the rejections.

Respectfully submitted,
JUSTIN T. NGUYEN ET AL.

Dated: June 10, 2008

By: /Jie Zhang/

Jie Zhang, Attorney of Record
Registration No. 60,242
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7297
Fax: (650) 938-5200